

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: Methyl Tertiary Butyl Ether (“MTBE”)  
Products Liability Litigation

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**Master File No. 1:00 - 1898  
MDL 1358  
M21-88**

**This Document Relates to:**

*New Jersey Department of Environmental  
Protection, et al. v. Atlantic Richfield Co., et al.*  
No. 1:08-cv-00312

*Commonwealth of Pennsylvania, etc. v.  
Exxon Mobil Corporation, et al.,*  
No. 1:14-cv-06228

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**STIPULATION**

NOW COMES Gulf Oil Limited Partnership (GOLP), by and through counsel, and counsel for Plaintiff in the cases of *New Jersey Department of Environmental Protection, et al. v. Atlantic Richfield Co., et al.*, No. 1:08-cv-0031, *Commonwealth of Pennsylvania, etc. v. Exxon Mobil Corporation, et al.*, No. 1:14-cv-06228, and *State of Maryland v. ExxonMobil Corp., et al.*, No. 1:18-CV-00459-SAG (D.Md.), and HEREBY STIPULATE AND AGREE as follows:

1. WHEREFORE GOLP admits, stipulates, and agrees that the spreadsheet titled “GOLP-NJDEP-024637\_CONFIDENTIAL (per 2004 MDL 138 Order) – FOR OUTSIDE COUNSEL ONLY.XLSX,” is authentic.
2. WHEREFORE GOLP stipulates and agrees that in all future proceedings in the cases listed in paragraph 8, above, it will not object to or otherwise purport that the spreadsheet “GOLP-NJDEP-024637\_CONFIDENTIAL (per 2004 MDL 138 Order) – FOR OUTSIDE COUNSEL ONLY.XLSX,” is inadmissible based on an objection to

the "best evidence rule" or "failure to authenticate" under the Federal Rules of Evidence or any similar Federal or State rule or law.

3. WHEREFORE based on the representations made in the foregoing Declaration by Robert H. Silliman Jr. and the Stipulations made by GOLP, above, Plaintiff withdraws its objections to GOLP's Notice of Intent to Destroy the approximately 600 Boxes of paper records containing only bills of lading and daily folio files from the Linden and Woodbury Terminals, referenced above.

AGREED TO BY:

March 3,  
Dated: ~~February~~ \_\_\_\_, 2021

MILLER & AXLINE, P.C.



MICHAEL D. AXLINE

1050 Fulton Ave., Suite 100

Sacramento, CA 95825

*Special Counsel for Plaintiffs New Jersey  
Department of Environmental Prot., et al.*

Dated: February 11, 2021

BERNSTEIN SHUR SAWYER &  
NELSON



CHAD W. HIGGINS

100 Middle St.

P.O. Box 8729

Portland, ME 04104

*Counsel for Defendant Gulf Oil Limited  
Partnership*

SO ORDERED:

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large initial "V".

Hon. Vernon S. Broderick, U.S.D.J. 3/16/2021